

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

NICHOLAS A. NAVARETTE,

Case No. 2:17-cv-02533-JAD-NJK

Plaintiff,

## ORDER

v.

JAMES DZURENDA, *et al.*,

## Defendants.

## I. DISCUSSION

In its August 20, 2018 Screening Order, the Court ordered Plaintiff to file his amended complaint by September 13, 2018. Docket No. 5 at 10. Plaintiff has filed a motion for an extension of time until December 1, 2018, to file his amended complaint curing the deficiencies in the original complaint. Docket No. 7. Plaintiff submits that he has limited time in the prison library, making it more difficult to amend his complaint within the limited timeline. *Id.* at 2. Plaintiff further submits that he needs more time so that he can exhaust administrative remedies for new claims he wishes to add to the amended complaint that are directly related to the claims made in the original complaint. *Id.*

The Court grants Plaintiff's motion. Plaintiff shall file his amended complaint on or before December 1, 2018. However, the Court advises Plaintiff that his amended complaint will not be placed in line for screening until he files it. If Plaintiff chooses to include new claims in this amended complaint and the new claims do not state a colorable

1 claim and require amendment, that also will substantially delay his case advancing  
2 through screening and moving forward.

3 Plaintiff also is advised to read and use the complaint form that the Court sent him.  
4 The form instructs plaintiffs to allege the facts that support their claims and not to cite  
5 legal authority. In its screening order, the Court provided Plaintiff with legal standards to  
6 assist him in curing the deficiencies in his claims. Plaintiff should read that screening  
7 order carefully.

8 Plaintiff is further advised that he may not amend the complaint to add unrelated  
9 claims involving a different defendant; adding such claims to an amended complaint will  
10 result in dismissal of those claims. Such claims must be brought in separate lawsuits.

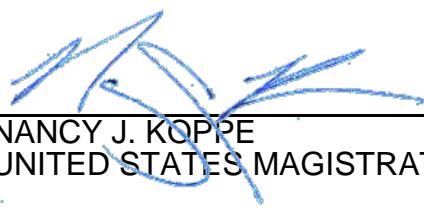
11 **II. CONCLUSION**

12 For the foregoing reasons,

13 IT IS ORDERED that Plaintiff's motion for extension of time, Docket No. 7, is  
14 **GRANTED**. Plaintiff shall file his amended complaint on or before December 1, 2018.

15 IT IS FURTHER ORDERED that, if Plaintiff does not file an amended complaint by  
16 December 1, 2018, this action shall be dismissed with prejudice for failure to state a claim.

18 DATED THIS 11th day of September, 2018.

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21 NANCY J. KOPPE  
22 UNITED STATES MAGISTRATE JUDGE  
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